



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/822,499

04/12/2004

Christopher C. McConnell

MSFT-3513

3038

23377

7590

10/16/2006

WOODCOCK WASHBURN LLP
ONE LIBERTY PLACE, 46TH FLOOR
1650 MARKET STREET
PHILADELPHIA, PA 19103

EXAMINER

KHOSHNOODI, FARIBORZ

ART UNIT

PAPER NUMBER

2169

DATE MAILED: 10/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,499

Applicant(s)

MCCONNELL, CHRISTOPHER C.

Examiner

Fariborz Khoshnoodi

Art Unit

2169

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/12/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Claim Rejections - 35 USC § 101

Claims 1-8 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, as they do not fall under any of the statutory classes of inventions. The language in the claims raise an issue because the claims are directed merely to an abstract idea that is not tied to an article of manufacture which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claims 1-8 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-8 are non-statutory because it fails to be claimed in conjunction with a computer readable medium. The components claimed, (i.e. a program module) is interpreted as being implemented by software. Software, per se, does not fall within a statutory category of patentability.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office Action:

A person shall be entitled to patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2169

Claims 1-25 are rejected under 35 U.S.C. § 102(b) as being fully anticipated by McConnell et al. United States Patent No. 6,993,475 B1.

As per claim 1:

McConnell teaches a system/method comprising: a program module that receives inputs and generates from the received inputs a collection of ranked interpretations, the collection of ranked interpretations comprising one or more constraints on a data schema (column 19 lines 66-67 and column 20 lines 1-6).

As per claim 2:

McConnell teaches a system/method, wherein the inputs comprise a natural language request (column 20 lines 13-14 and Abstract lines 11-12).

As per claim 3:

McConnell teaches a system/method, wherein the inputs comprise a filter (column 19 lines 43-54).

As per claim 4:

McConnell teaches a system/method, wherein the inputs comprise a bias (column 1 lines 53-60).

As per claim 5:

McConnell teaches a system/method, wherein the inputs comprise a culture (column 9 lines 59-67).

As per claim 6:

McConnell teaches a system/method, wherein the inputs comprise a schema for data to be operated upon (column 11 lines 8-11).

Art Unit: 2169

As per claim 7:

McConnell teaches a system/method, further comprising a module for connecting to a plurality of search providers (column 1 lines 64-66).

As per claim 8:

McConnell teaches a system/method, wherein the module for connecting to the plurality of search providers receives search results from the plurality of search providers (column 1 lines 50-60).

As per claim 9:

McConnell teaches a system/method comprising: in response to receiving a natural language request and at least one input, generating a plurality of ranked interpretations (column 41 lines 38-42); and performing an action in response to at least one of the plurality of ranked interpretations (column 41 lines 61-64).

As per claim 10:

McConnell teaches a system/method, wherein the action comprises performing a search (column 28 lines 65-67 and column 29 lines 1-2).

As per claim 11:

McConnell teaches a system/method, wherein the action comprises executing a command represented by the at least one of the plurality of ranked interpretations (column 42 lines 42-50).

As per claim 12:

McConnell teaches a system/method, wherein the at least one input comprises a filter (column 19 lines 43-54).

Art Unit: 2169

As per claim 13:

McConnell teaches a system/method, wherein the at least one input comprises a bias (column 1 lines 53-60).

As per claim 14:

The method of claim 9, wherein the at least one input comprises a culture (column 9 lines 59-67).

As per claim 15:

The method of claim 9, wherein the at least one input comprises a schema for data upon which the action will be taken (column 11 lines 8-11).

As per claim 16:

McConnell teaches a system/method comprises: analyzing the natural language request to determine a plurality of relevant terms (column 9 lines 45-48), associating each of the plurality of relevant terms with at least one structure of a plurality of structures in a schema associated with data upon which the action will be taken (column 9 lines 59-67); combining terms associated with the at least one structure to generate at least one interpretation of the plurality of interpretations (column 27 lines 31-37); and assigning a rank to the at least one interpretation (column 42 lines 42-45).

As per claim 17:

McConnell teaches a system/method, further comprising sending at least one of the plurality of ranked interpretations to at least one of a plurality of search providers (column 1 lines 50-60).

Art Unit: 2169

As per claim 18:

McConnell teaches a system/method, further comprising receiving a collection of search results from at least one of a plurality of search providers (column 1 lines 66-67 and column 2 lines 1-5).

As per claim 19:

McConnell teaches a system/method, further comprising receiving a set of parameters (column 10 lines 53-55).

As per claim 20:

McConnell teaches a system/method, wherein the set of parameters comprises an expansion policy (column 16 line 29).

As per claim 21:

McConnell teaches a system/method, wherein the set of parameters comprises an interpretation generation policy (column 27 lines 28-37).

As per claim 22:

McConnell teaches a computer-readable medium comprising computer-executable instructions for in response to receiving a natural language request (column 14 lines 13-16 and Abstract lines 11-12); analyzing the natural language request to determine a plurality of relevant terms, associating each of the plurality of relevant terms with a structure in a schema associated with data upon which an action will be taken (column 9 lines 59-67); combining terms associated with the structure to generate at least one interpretation of the natural language request (column 42 lines 42-45); assigning a rank

Art Unit: 2169

to the at least one interpretation (column 42 lines 42-45); and performing an action in response to the at least one interpretation (column 27 lines 29-31).

As per claim 23:

McConnell teaches a system/method, comprising further computer-executable instructions for performing a search (column 28 lines 65-67 and column 29 lines 1-2).

As per claim 24:

McConnell teaches a system/method, comprising further computer-executable instructions for executing a command represented by the at least one interpretation (column 32 lines 3-6).

As per claim 25:

McConnell teaches a system/method, comprising further computer-executable instructions for connecting to a plurality of search providers (column 14 lines 48-59).

As per claim 26:

McConnell teaches a system/method, comprising further computer-executable instructions for displaying search results (column 14 lines 42-47).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fariborz Khoshnoodi whose telephone number is 571-270-1005. The examiner can normally be reached on M-Th every other F 8:00-4:00..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on 571-272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2169

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fariborz Khoshnoodi
Examiner
Art Unit 2169

FK F.k.



CHRISTIAN CHACE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100